

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04cr184**

**UNITED STATES OF AMERICA** )

vs. )

**BRIAN GABRIEL VAUGHN** )

**ORDER**

**THIS MATTER** is before the Court upon motion of the defendant for review of detention. (Doc. No. 20).

The defendant pleaded guilty on June 19, 2005, to Count One of the indictment, charging him with being a felon in possession of a firearm, in violation of Title 21 U.S.C. Section 922(g)(1) (Doc. No. 1: Plea Agreement; Doc. No. 18: Acceptance and Entry of Guilty Plea). Pursuant to § 3145(b), the defendant seeks review of the magistrate judge's detention order entered August 23, 2004. (Doc. No. 7).

Upon review of the record, even in a light most favorable to the defendant, the Court finds the defendant is only a few weeks from sentencing. Nor does the defendant meet the conditions required by Title 18 U.S.C. section 3143(a)(2). Thus, the circumstances alleged by the defendant are insufficient for this Court to alter the Order of Detention.

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

**Signed: October 11, 2005**

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

